



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of Alvin Wong) **EXPEDITED PROCEDURE**
) **AFTER FINAL PER MPEP 714.13**
)
Application No. 10/071,802) Examiner: Stimpak, Johnna
)
Filed: February 6, 2002) Group Art Unit: 3623
)
For: SUPPLIER PERFORMANCE) Attorney Docket: 005222.00343
REPORTING)

REQUEST FOR RECONSIDERATION AFTER FINAL OFFICE ACTION

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Dear Sir:

In response to the final Office Action mailed November 5, 2004, reconsideration and allowance are respectfully requested in view of the following remarks.

Claims 1-47 remain pending, of which claims 1-31 and 47 are before the Examiner for review and claims 32-46 are withdrawn.

Claims 1-8, 24-31, and 47 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,960,408 to Martin et al. ("Martin"). Claims 9-23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Martin. Applicant traverses all rejections.

Order vs. Order Fulfillment

The main issue over which Applicant and the Examiner have differed are whether a customer order entry in Martin can be considered a start point corresponding to a point along an order fulfillment process (as recited, e.g., in claim 1). The Office Action asserts that the order must be part of its fulfillment, for if there were no order placement, there would be no order fulfillment to take place. Respectfully, this argument relies on a non sequitur. It is analogous to arguing that a cause must be part of its effect, for if there were no cause, there would be no effect. Or, that a question must be part of its answer, for if there were no question, no answer would be offered. These assertions are based, of course, on faulty logic. Likewise, the fact that

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Michael Mauric

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Alvin WONG

Serial No.: To Be Assigned

Filing Date: Herewith

For: SUPPLIER PERFORMANCE
REPORTING

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

PRELIMINARY AMENDMENT

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This Preliminary Amendment is submitted together with the originally filed application.

AMENDMENT

In the Specification:

Please amend the specification as follows:

On page 3 line 10, as indicated in red in the marked-up specification as filed,
between "processes" and "data" please insert --actual purchasing--.